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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-third session

SUMMARY RECORD OF THE 1277th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 4 August 1998, at 10 a.m.

Chairman: Mr. ABOUL-NASR

later: Mr. DIACONU
(Vice-Chairman)

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (continued)

Initial, second and third periodic reports of Croatia (continued) (CERD/C/290/Add.1; HRI/CORE/1/Add.32/Rev.1)

1. At the invitation of the Chairman, the members of the delegation of Croatia resumed their places at the Committee table.

2. Mr. DIACONU observed that the Committee had to take into account the fact that Croatia was a young country in an exceptional situation, surrounded by areas of conflict, and one that was in transition and still in the process of stabilization. He wondered, however, when the Government intended to reinstitute the legislative provisions on minorities that had been suspended in 1995. He was puzzled by the statement at the end of paragraph 12 (e) of the report (CERD/C/290/Add.1) that the minority safeguards listed earlier were applicable to Croats in municipalities where they formed a majority; that would seem to imply that the provisions in question were applicable only to Croats, for they were always presumably the majority with respect to other ethnic groups. The Committee had not been given adequate demographic data on the minorities in Croatia, since the report (para. 54) quoted the 1981 census rather than the more recent 1991 census and did not indicate intervening changes. Furthermore, it would be useful to have an explanation of the unusual term used in the Constitution - "ethnic and national communities or minorities" - to denote minorities. He would also appreciate more information on the meaning of cultural autonomy under the law. The report had much to say about the linguistic, educational and cultural rights of different ethnic groups (paras. 78 et seq.) but no mention had been made of the Serb ethnic minority. Did that mean that there were no provisions for Serbs? It was extremely important to resolve the relations between Croats and Serbs in a democratic way, and it was the Croatian majority that had to make the greatest effort, so that both could live together as brothers and not enemies. The Government's programme of reconstruction and confidence-building was a good starting point.

3. It was not clear how Croatia was solving the problem of citizenship, because the normal rule that all persons who had lived in a country for a certain period of time were entitled ipso jure to apply for citizenship did not seem to prevail.

4. The constitutional provisions against genocide were significant in a country such as Croatia, with a history of genocide. A number of paragraphs in the report dealt with crimes committed by Serbian military and paramilitary units against the population, but no mention was made of war crimes by Croatian military and paramilitary personnel; a balanced approach had to be taken in punishing both.

5. The degree to which Croatian legislation conformed to the Convention was unclear: the report (para. 11) referred to the Convention as one of the bases for its Constitution, but more as a reference than as a source of law. It was also not specified if the Convention was an integral part of Croatian law,

as were the apartheid conventions. Apparently (para. 3 of the report), the Constitutional Court was the final arbiter of the validity of legislation. It would be interesting to know the nature of the 44 laws that had been invalidated. The Constitutional Court had apparently heard a number of complaints regarding equal treatment before the courts (para. 36), but nothing was said about its having addressed the more serious issue of violations of equal rights as such.

6. Mr. SHERIFIS observed that the Government had an obligation to implement the Convention adequately, despite the painful situation from which it had only recently emerged. The issue of the return of displaced persons and refugees to abandoned homes and property was of extreme importance, particularly where ethnic considerations had been the cause of abandonment. It would be interesting to know to what extent the figures for returnees given in paragraph 67 of the report had risen since November 1996. The rejection of one third of the repatriation requests by Serbs for political reasons seemed unjustified, for all refugees had the right to restoration of property and compensation, regardless of ethnic origin. It was not clear that ethnic Serbs were being treated in accordance with the Convention, the Committee's General Recommendation on the matter or the rules of international law concerning property rights: a recent study by an expert organization indicated that the gap left by the Parliament's recent repeal of the two major property laws, which had been discriminatory against Serbs had not yet been filled by any positive legislation in their regard.

7. He would be interested to learn more about the workings of the Office for Ethnic and National Communities or Minorities (para. 19 of the report).

8. With reference to article 7 of the Convention, he hoped that the education to fight prejudice and promote tolerance referred to in the report (para. 216) applied to both the population and its leaders.

9. Mr. GARVALOV welcomed the acknowledgement in the report that Croatian society was multi-ethnic. The crux of the problem, however, remained the Serb minority's relation to the majority.

10. He would like more information on what the Government had been doing in recent years to review its policies and rescind any laws that might perpetuate racial discrimination; and on how many of the legislative or regulatory provisions invalidated by the Constitutional Court (para. 4 of the report) had related to racial discrimination. It was difficult to reconcile the assertion in paragraph 5 that the legal order of Croatia excluded all forms of racial discrimination with the statement in paragraph 1 that Croatia was undertaking all necessary measures to eliminate racial discrimination; unless the answer was that administrative, judicial and executive practices had still to be brought into line with the de jure achievements.

11. He, too, would like an explanation of the official constitutional terminology for minorities (para. 12 (c)). The United Nations itself had yet to define the term "national minority", although a European instrument to which Croatia was a party, the Framework Convention for the Protection of National Minorities, had done so. He himself was of the school of thought that defined a national minority as an ethnic group which had lived in a

country for centuries (such as the Serbs or Italians in Croatia); whereas others defined a national minority as one which had been absorbed from a neighbouring country of origin. He would like to know the Government's thinking on the question, and what was intended by the distinctions made between "ethnic" and "national" and between "community" and "minority".

12. He was convinced that Croatia was doing much to implement article 7 of the Convention, especially considering how helpful Croatian representatives had been when he and Mrs. Sadiq Ali had prepared their report on that article of the Convention. Achieving tolerance between different ethnic groups was a long process that must reach into all segments of the population, and no one could claim that intolerance had been reversed overnight. A recent incident at an international sporting event, involving hate speech by Croatians, amounting almost to national character defamation, illustrated that point. He was nevertheless encouraged by what the Government had thus far achieved.

13. Mr. RECHETOV took issue with the remarks made by the Croatian delegation in its introductory statement which seemed to attribute the wave of nationalism which had swept through the territory of the former Yugoslavia solely to the Serbian community. Information provided by other sources indicated that there had also been a resurgence of nationalist feelings among Croatians.

14. One major problem was the lack of reliable demographic data for the period immediately before and after the dissolution of the Socialist Federal Republic of Yugoslavia. It was unclear exactly what population movements had taken place at that time, although it was likely that the massive displacement of Serbs from Krajina had been one of the first instances of ethnic cleansing. Undoubtedly all parties involved in the conflict had been guilty to some extent of ethnic cleansing but, regrettably, they were reluctant to admit it. In Russia the exile of entire communities to Siberia under the former communist regime was now publicly condemned. A more critical look at recent history by the Croatian Government and people might help to resolve some of the problems relating to the return and settlement of refugees.

15. He expressed concern about reports of racist statements made by the highest authorities in Croatia, which were hardly conducive to the peaceful coexistence of people from different racial backgrounds. He hoped that the dialogue with the Committee would help the Croatian Government to recreate an atmosphere of tolerance and respect among the different communities living in the country.

16. Mr. SHAHI said that although paragraph 54 of the report listed a number of different national or ethnic minorities living in Croatia, no mention was made of Albanians or Muslims. Surely their existence should be acknowledged?

17. He would also welcome more information on the proposed establishment of a federation with Bosnia and Herzegovina. He was particularly concerned about the situation of persons displaced from Mostar. Had they been allowed to return and resettle there and how were the Bosnian and Croat communities faring together?

18. The CHAIRMAN, speaking as a member of the Committee, said it seemed from additional information available that the Croat and Bosnian communities did not enjoy good relations. He would like to know more about how the people of the different communities really felt about each other. Furthermore, there had been scant reference in the introductory statement by the Croatian delegation to the situation of Muslims. He sought clarification regarding the official definition of Muslim as a nationality rather than a religion. Was there any difference between Muslims of different ethnic origin? Moreover, were minority groups from traditionally Muslim countries such as Turks and Montenegrins regarded as Muslims?

19. Mr. PALARIĆ (Croatia), responding to questions concerning relations between Bosnia and Herzegovina and Croatia, recalled that the negotiations to establish a federation or confederation between the two countries had proved unsuccessful. No federal bodies had been set up and Bosnia and Herzegovina and Croatia were entirely independent of each other. The Croatian Government bore no responsibility for the situation in Mostar and its judicial authorities had no jurisdiction over the Bosnians living there.

20. With regard to Muslims, he said that the territory now known as Bosnia and Herzegovina was inhabited by the descendants of the former Turkish rulers as well as Serbs and Croats who had converted to Islam during the Turkish Empire. He could not explain why in the former Yugoslavia Muslims of Slav origin had been given a special identity and Muslim classified as a nationality. The Croatian Government did not oblige its citizens to register as members of a minority group, but did allow them to register as Muslims, whose cultural origins lay in Bosnia and Herzegovina. In practice, many children of mixed marriages opted to register as members of one of the nationalities of the former Yugoslavia.

21. Replying to questions raised at the previous meeting, he stressed that no discrimination was allowed in Croatia on grounds of race, colour, sex or religion and that problems encountered by persons of different nationalities or minorities had been confined to the war-torn or temporarily occupied areas of Croatian territory. During the war many Serbs had remained in Croatian cities unaffected by the conflict, where they had continued to lead a normal life and to exercise all their rights as citizens, without any discrimination. Even for those persons living in the temporarily occupied territory there had been no restrictions on the enjoyment of cultural rights or use of public facilities; their problems had related mainly to the obtention of Croatian documents, the instituting of criminal proceedings and access to employment.

22. As the Country Rapporteur had indicated, there had been acts of aggression by Croats against Serbs, but there had also been cases of violence against Croats which had not been reported or condemned by human rights organizations active in the region. The Croatian Government wished to see such cases dealt with promptly. Doubts had been raised about the soundness of the evidence used in some trials. The Croatian Government was not in a position to evaluate such evidence since the judiciary was completely independent. The Government had no influence on the appointment or dismissal of judges; that was the responsibility of the High Judicial Council, an independent body composed of lawyers, public prosecutors, judges and academics.

23. He confirmed that certain provisions of the Constitutional Law on Human Rights and Freedoms and on Rights of Ethnic and National Communities or Minorities in the Republic of Croatia had been temporarily suspended. They related to the establishment of local self-government for a territory which at one time had been largely inhabited by Serbs who had abandoned the territory along with the occupying army when it had been liberated by Croatian troops. The provisions had been suspended pending the resettlement of the territory, to be gauged by a future census. In the meantime the Croatian Government was taking steps to reform the Constitutional Law, in cooperation with the Council of Europe, and envisaged the establishment of an advisory body for ethnic minorities.

24. It was worth noting that since the framing of provisions concerning the establishment of a temporary court for human rights, Croatia had become a member of the Council of Europe and had ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms. It was considered that the establishment of a temporary court would slow down the judicial process in Croatia. However, the protection of ethnic minorities had been reinforced in the proceedings of the Constitutional Court through the appointment by the Council of Europe of three judges who would act as legal advisers when dealing with constitutional complaints relating to the ethnic minorities.

25. As at November 1997, the general Amnesty Law of September 1996 had been applied to 15,757 persons accused or convicted of offences covered by that law. However, criminal charges had not been dropped against 27 persons accused of war crimes not covered by the Amnesty Law.

26. In response to queries regarding Mr. Milos Horvat, he explained that judicial proceedings were still under way since no verdict had yet been reached by the Supreme Court regarding the appeal lodged. In any case the Croatian Government was not empowered to interfere in such matters.

27. Nationality had played absolutely no part in the dismissal of Mr. Krunoslav Olujic, President of the Supreme Court. He had been dismissed following serious allegations against him, including unprofessional conduct. He had challenged the decision which had been subsequently overturned by the Constitutional Court on the grounds that the evidence, based on surveillance of the Judge's telephone conversations, was inadmissible. The case was once again before the High Judicial Council.

28. The Republic of Croatia was endeavouring to cooperate fully with the International Criminal Tribunal for the former Yugoslavia in terms of arresting and extraditing persons indicted by the Tribunal. There was, however, some concern about the subpoena duces tecum, which the Government of Croatia felt violated State sovereignty and went beyond what was permissible under international law. The Government hoped that further efforts would be made to prosecute persons guilty of war crimes against Croatians. Responsibility for the war could not be divided equally. The situation in Kosovo showed the same aggressor acting as it had before.

29. The main problems in the Republic of Croatia were related to security and the peaceful reintegration of regions in the territory of Croatia, including the Croatian Danube Region.

30. The Ministry of the Interior had done all it could to bring to justice members of the Transitional Police Force (TPF) who had harassed citizens of Serb nationality. Efforts had been made to ensure a balanced ratio of Serbs to Croats in the TPF. Nearly 1,000 Serb members of the TPF had later joined the Croatian police force following the reintegration of the Region of Eastern Slavonia, Baranja and Western Sirmium. The Republic of Croatia kept a strong police presence in the Region, which explained why the overall number of offences had fallen.

31. The incident in Hrvatska Kostajnica between 13 and 15 May 1997 had not led to loss of life but the Government of the Republic of Croatia nonetheless deeply regretted what had happened and was keen to ensure the orderly return of refugees and displaced persons. The Government had ordered a thorough investigation of events and charges had been brought against 10 people thus far.

32. The reasons why many Serbs were leaving the Republic of Croatia were complex but the main reason was that the areas they were leaving had been devastated by war, houses had been destroyed and the industrial infrastructure had been ruined. Economic revitalization was essential to normalize the situation and ensure the peaceful coexistence of local people, for which the Republic of Croatia would need the assistance of the international community.

33. Most refugees in Croatia were from Bosnia and Herzegovina and the Serb entity and were still unable to return there. Croats had been expelled from Vojvodina and Kosovo as a result of aggressive Serbian nationalism. The Croatian authorities and the Office of the United Nations High Commissioner for Refugees (UNHCR) felt that the best and most permanent solution for them was resettlement in the Republic of Croatia.

34. Before the demise of the Socialist Federal Republic of Yugoslavia, citizens of Yugoslavia had also been citizens of one of the former Republics. Subsequently, Croatian citizenship had been regulated by the Law on Croatian Citizenship, and the same conditions applied to all foreigners without distinction. All requests for citizenship from persons from the border areas of Bosnia and Herzegovina had been approved by the Ministry of the Interior.

35. The Republic of Croatia had adopted a programme which dealt specifically with the return and care of refugees and displaced persons. The programme set out detailed procedures, supported by the international community, for Croatian diplomatic entities to handle applications for passports and other official documents. The problem however, was, the volume of requests and limited staff to deal with them. Documents issued during the temporary occupation were as valid as other documents subsequently issued by the Croatian authorities.

36. The protection of property was a basic right in the Republic of Croatia and legislation thereon was fully in accordance with international standards; recourse to the courts was available to enforce that right. The State authorities were responsible for the implementation of regulations and measures to protect the property belonging to Serbs in the territory of the Republic of Croatia. The Law on the Temporary Takeover and Administration of

Specified Property had been replaced by new legislative provisions which established a mechanism whereby property could be returned to its rightful owners.

37. The right of individual petition before international institutions was ensured by virtue of Croatia's ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms, and hence compliance with its article 25. Croatia had also ratified the Optional Protocol to the International Covenant on Civil and Political Rights whereby the Human Rights Committee could receive and consider communications from individuals. The Republic would consider making the declaration under article 14 of the Convention at a later date.

38. The Republic of Croatia guaranteed the rights of minorities, a guarantee reinforced by the appointment of the three international judges working with the Constitutional Court on cases involving minority rights.

39. The Committee was requested to urge the United Nations High Commissioner for Human Rights to expedite the practical implementation of technical cooperation projects in Croatia.

40. The Republic of Croatia had been the first country to highlight the problem of Serbs who had gone missing after "Operation Lightening and Storm". The Government Commission for Detained and Missing Persons had reported that 144 bodies were buried at the Gradačac cemetery and had managed to identify some of them. A list of identified persons had been submitted to the Government Commission for Humanitarian Issues and Imprisoned Persons of the Federal Republic of Yugoslavia in August 1996. Four hundred "identification protocols" for unidentified persons had been issued following a meeting of the two institutions. Ms. Elisabeth Rehn, the Special Rapporteur of the Commission on Human Rights, had referred in her report (E/CN.4/1998/14) to missing and unidentified persons, and to a lack of political will to solve the problem, but failed to mention the Croatians who had gone missing during the conflict, which suggested that the problem of missing persons could not be resolved by Croatia alone.

41. According to the Constitution of the Republic of Croatia, international conventions and treaties ratified by the Parliament became an integral part of domestic legislation which could be invoked by the courts.

42. Citizens of the Republic of Croatia were free to join an association if they so wished. The most recent information available indicated that there were 72 political parties, over 18,000 non-governmental organizations and other citizens' associations, 260 foreign associations and more than 600 trade unions in Croatia. The procedure for establishing associations and political parties was straightforward and all associations were registered by the Ministry of Administration. The Constitutional Court was the only body competent to demand that a political party be disbanded and then only if the party's aim was to destroy the constitutional order or threaten the country's territorial integrity. The Ministry of Administration could initially refuse to register a party for the same reasons.

43. Members of national minorities were represented in Parliament on a proportional basis, according to their ratio in the total population of the

country. Calculation of their representation in the House of Representatives was made on the basis of the total number of representatives. Representation at the local level was also on a proportional basis.

44. The central administration issued directives to local authorities and other bodies and played a supervisory role. Complaints from citizens regarding local officials or against local authorities themselves were dealt with by central government inspectors.

45. There was no discrimination with regard to the denationalization of property. Nationality was not even listed as one of the questions on forms related to the return or denationalization of property, as it was considered irrelevant.

46. Mr. Diaconu took the Chair.

47. Mr. PÉŠORDA (Croatia) said that freedom of the press and other media was an essential part of the freedom which his country had so recently regained. That there was not yet complete freedom of the press was not because the authorities wished to exercise control over the mass media but was due to the slow transition from a communist society and the mental and moral after-effects of totalitarian hegemonic control, which had been a painful and humiliating experience for the Croats.

48. The Law on Public Information guaranteed freedom of the press and electronic media. There was no Government monopoly or censorship, and the wide variety of printed media available encouraged diversity of belief and opinion. There was but one Government daily newspaper, and the independent daily and weekly press openly criticized the authorities. There was considerable freedom of the press in Croatia at present, but continued vigilance was needed to maintain and increase that freedom.

49. Ms. MARCOVIĆ (Croatia) said that education was the only way to overcome the hatred, intolerance and xenophobia which were the consequences of the civil war. The problem in Croatia was not so much "racism" as the word was used in the Western world, but a consequence of the political restructuring of the old repressive system and the fight for a new balance of political forces. There was no conflict of cultures as such in Croatia: the problems were due to the opposing and mutually unacceptable positions adopted by different groups. It was essential to ensure by means of education that children, who represented society's future, were prevented from adopting the extreme opinions of adults.

50. In response to questions about the implementation of anti-discrimination legislation in practice, and the request for figures referring specifically to the Serb minority, she said that Croatia was a multi-ethnic society, and most of the ethnic groups had lived together in mutual tolerance for many years. However, relations between Croats and the Serb minority were extremely delicate, because the two groups had been fighting one another until so recently. It would take time to restore their trust in one another.

51. Members had asked about education in Croatia. As a former teacher, she was aware that political changes took a long time to filter down through the education system. However, she believed that most parents of all

nationalities, including Serbs, were happy with the standard of education provided for their children. In the recently liberated parts of Croatia, such as the Croatian Danube region, where Serbs were in the majority because they had been quicker to return than the Croats, the Government was reorganizing the education system and consulting the Serb population on organizational and technical matters. The Ministry of Education and Sports ensured that the rights of the Serb minority were protected.

52. A number of measures had been adopted to address the issues of greatest concern. A joint declaration had been issued by the Government of Croatia and the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (UNTAES) in 1997. School-leaving certificates from the entire territory of the former Yugoslavia were recognized in Croatia. The representation of the various ethnic groups was respected in the appointment of principals of secondary schools.

53. The Serb minority had a right to education in its own language under a law which had been carried over from the former Yugoslav administration. A five-year moratorium had been declared on the teaching of recent Yugoslav history until new textbooks could be prepared, and curricula for the teaching of ethnic minority groups were supervised by the Ministry of Education and Sports. New textbooks were needed, but they could not be produced overnight. Minority groups could publish their own textbooks, but the Serb minority did not appear to have taken advantage of that opportunity. The Ministry of Education and Sports had a Serb "citizen's minister", with offices in Zagreb and the Croatian Danube region. Overall, the situation had stabilized somewhat, although the major problems of textbooks, curricula and the use of the Serbian language and alphabet still remained to be solved. The Ministry of Education and Sports had established a database which showed that there were some 8,400 Serbian schoolchildren in the schools of two large Croatian counties.

54. She did not believe that there was any racial discrimination in schools or in the education system as a whole. A recent conference at municipal level had found that the education system held no problems for Serbs and gave no cause for Serb families to leave Croatia.

55. Mr. PALARIĆ (Croatia) said that the Croatian Government was against discrimination on racial, religious or any other grounds and would continue to strive to create and restore trust between Croats and Serbs. The Government would attempt to address the points raised by the Committee in its next report. Croats wanted the country for which they had fought for so long to provide an example to others of civilization and active participation in the work of international organizations. In the past, Croats had suffered because they had been in the minority, and they had no wish to inflict the same fate upon others.

56. Mr. RECHETOV said he wished to raise a legal point. The Croatian delegation had responded to a number of points raised by the Committee by citing decisions made by the independent judiciary in Croatia. However, the independence of the judiciary was a concept in internal, not international law: in the international context, a State was responsible for the actions of

all persons or authorities under its jurisdiction. The Committee would, accordingly, continue to consider the actions of the Croatian courts in the light of Croatia's obligations under the Convention.

57. Mr. van BOVEN, referring to the Croatian delegation's statement that recent changes in the law would facilitate the return of displaced persons to their former homes in Croatia, asked for more information on the application in practice of the legislation to be included in Croatia's next report.

58. The Croatian delegation had stated that the Government would consider the possibility of making the declaration provided for in article 14 of the Convention. Since the Croatian Government had already signed the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols and the International Covenant on Civil and Political Rights and its two Optional Protocols and had thus clearly accepted the principle of allowing individual communications, he saw no reason why it should not make the declaration provided for in article 14 of the Convention. The Convention provided additional safeguards, specifically regarding racial discrimination, which were not necessarily provided by the other two instruments.

59. Mr. YUTZIS (Country Rapporteur) thanked the members of the Croatian delegation for their goodwill and their prompt answers to many of the questions asked.

60. Like other members, he had been concerned about the phrase "ethnic and national communities or minorities" (CERD/C/290/Add.1, para. 12 (c)) and was not reassured by the delegation's statement that it was not a substantive question, but merely a matter of translation. He trusted that the next report would state clearly what was meant by that phrase.

61. He hoped that the next report would contain detailed information about Croatia's implementation of article 4 of the Convention, dealing with the prohibition of incitement to racial hatred. The Committee had expressed its concern about the issue in its discussion of the situation in Croatia in 1995 (A/50/18, para. 178). It was a very important article and a source of concern to the Committee, particularly in connection with the activities of racist organizations.

62. He could not help feeling that the delegation understood the term "freedom of the press" differently from the Committee. Commission on Human Rights resolution 1998/79 called upon the Croatian Government to guarantee freedom of the press, ensure that opposition groups had access to the mass media and cease its harassment of the independent media. The Special Rapporteur of the Commission on the situation of human rights in the territory of the former Yugoslavia, Ms. Rehn, had referred in her latest report (E/CN.4/1998/14) to a number of examples of incitement to racial hatred, including a vehement attack in the weekly Hrvatski Vjesnik on a round-table discussion on "the return of Serbs to Croatia" organized by the Croatian Helsinki Committee. There had also been considerable propaganda on behalf of the Government at the previous elections. On a visit he had made to Croatia some time before, persons in authority had admitted to him that freedom of the press could be improved.

63. He asked for information about the situation of the Bosnian community in Croatia, a matter about which the Committee had previously expressed its concern (A/50/18, paras. 152 and 169).

64. He had been glad to hear that the Law on the Temporary Takeover and Administration of Specified Property had been repealed, and hoped that the next report would give details of any developments regarding the right to property. Members of the delegation had referred to the valuable work done by municipal property claims commissions; however, the report of the Special Rapporteur of the Commission on Human Rights stated that, as at March 1997, not a single case brought before those commissions had resulted in a Serb owner regaining possession of a property (E/CN.4/1998/14, para. 47). Equitable settlement of property disputes was very important if displaced persons were to return peacefully to their homes and resume their normal lives.

65. The crucial question of citizenship in Slavonia was still a very delicate issue. One obstacle to the acquisition of citizenship was the refusal by the Serb minority to agree to the principle of proportional representation in decision-making, but another was the problem of the validation of documents. He did not understand why Parliament had invalidated all documents delivered previously, and then reconfirmed their validity, instead of providing for their automatic validity and then repealing those which were no longer required. He hoped that more explanations would be provided in the next report.

66. He welcomed Croatia's acceptance of the two Optional Protocols to the International Covenant on Civil and Political Rights and its willingness to participate actively in the technical cooperation project planned by the Office of the United Nations High Commissioner for Human Rights, in which Committee members were also ready to participate. It was important to increase awareness among ordinary people in Croatia about the ideals embodied in United Nations and other international human rights treaties and the importance of human rights in the creation of a new society. He hoped that the dialogue established with the Government of Croatia would continue.

The meeting rose at 1.05 p.m.